



NATIONAL CITIZENS' MOVEMENT FOR FREE ELECTIONS (NAMFREL)

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PRESS RELEASE

NAMFREL EXPRESSES CONCERN WITH REMOVAL OF SECURITY PROVISIONS ***Many safeguard provisions of election automation law are disabled or delayed***

The National Citizens Movement for Free Elections or NAMFREL has once again expressed its concern over the disablement or delay of certain safeguard provisions which were originally written into the election automation law.

Wrong ultraviolet ink. Among the latest issues to be disclosed by the COMELEC was the use of the wrong ultraviolet ink in the printing of the ballots to be used on May 10. Originally, ultraviolet ink was supposed to be used as a security mark on the ballot so that the automated counting machines could detect a real ballot from a fake one when ballots were fed into the machine. COMELEC belatedly disclosed that the wrong ink had been used in the printing process but only after a large number of ballots had already been printed. It has since announced that the UV sensors in the machines would be disabled but then added that Boards of Election Inspectors would be equipped with portable, hand-held UV lights which they would use to sweep over ballots to check for the ink. The portable lights were not included in the original budget of the project and their use now adds an extra step in a new process which BEI are only beginning to learn. It is not clear how hand-held ultraviolet lights will deter ballot fraud since they will presumably detect any type of ultraviolet ink and not necessarily just the ink originally specified for the ballot printing.

Digital signatures removed. Aside from the problems with ultraviolet ink, the COMELEC has also removed a provision for digital signatures. In the original law (RA 9369), Sections 19 and 20 required that election returns and certificates of canvass be digitally signed by members of the Boards of Election Inspectors. The COMELEC's own General Instructions to BEI dated December 29, 2009 (COMELEC Resolution No. 8739) required digital signatures from the BEI by inserting an iButton security key into a security key receptacle in the machine. This would presumably prevent unauthorized transmissions plus allow authorities to trace back who exactly was transmitting from specific locations and machines. The COMELEC has now removed that digital signature provision. On March 4, 2010, COMELEC released a revised General Instruction (COMELEC Resolution No. 8786) instructing BEI to forego with the digital signatures.

Source code review withheld. Under the law, the COMELEC was supposed to make the source code of the technology available and open to review. Without a thorough review, it will not be possible to determine whether the various sets of instructions throughout the system correctly and accurately reflect the results and are not vulnerable to third-party instructions to introduce codes designed to manipulate vote counts or vote consolidation.

Random manual audit rules not yet out. With elections now just over 30 days away, the COMELEC has yet to release its guidelines for the Random Manual Audit required by law.

NAMFREL, AES, and other pollwatching groups have advocated wider coverage of the Random Manual Audit as well as its conduct prior to proclamation of winners. Given the newness of the system and the fact that it is generally untested over such a large voting population, NAMFREL and others have advocated the importance of random audits and parallel runs over significantly-sized samples, larger than that provided by the law. Given numerous delays and the lifting of so many safeguards, it becomes doubly more important that a transparent audit process be pursued.

No review of back-up or disaster recovery processes. There has been, to our knowledge, no public review of the back-up or disaster recovery processes for the PCOS machines or the different levels of the canvass. If the main software or systems or any of its components fail for any reason, the back-up systems will be resorted to. These back-up systems have not been given a thorough review to check for any vulnerabilities to fraud.

Additional safeguard measures continue to remain under close watch by NAMFREL and periodic reports will be released as assessments are completed.

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